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6 Attorneys for Movant  
JASON ELLIS SMITH  
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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, ) Case No. 2:98-cr-009-KJM-CKD  
12 )  
Plaintiff-Respondent, ) STIPULATED BRIEFING SCHEDULE AND  
13 ) ORDER  
v. )  
14 JASON ELLIS SMITH, ) Judge: Hon. Carolyn K. Delaney  
15 )  
Defendant-Movant. )  
16 )

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17 Movant JASON ELLIS SMITH, by and through his appointed counsel, filed a Motion to  
18 Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 pursuant to *Johnson v. United*  
19 *States, nunc pro tunc* on June 17, 2016. See Docket entry no. 114. On March 10, 2017, this  
20 matter was reassigned to the Honorable Kimberley J. Mueller. Docket entry no. 113. On March  
21 31, 2017, this matter was referred to a magistrate judge. Docket entry no. 115. Magistrate Judge  
22 Delaney is listed on the docket even though no minute entry documents this assignment. To  
23 date, no briefing schedule has issued.

24 Mr. Smith wishes to accelerate the disposition of this case. The government does not  
25 object to an accelerated schedule.

26 IT IS HEREBY STIPULATED by and between Phillip A. Talbert, United States  
27 Attorney, through Ross K. Naughton, Assistant United States Attorney, attorneys for  
28 Respondent, and Heather Williams, Federal Defender, through Assistant Federal Defender, Ann

1 C. M<sup>c</sup>Clintock, attorneys for Jason Ellis Smith, that the briefing schedule be set to allow the  
2 government to file and serve its answer within 60 days, and for Movant to file a traverse, if any,  
3 within 30 days thereafter.

4 DATED: April 27, 2017

Respectfully,

5 HEATHER E. WILLIAMS  
6 Federal Defender

7 /s/ Ann C. M<sup>c</sup>Clintock  
8 ANN C. M<sup>c</sup>CLINTOCK  
Assistant Federal Defender

9 Attorney for Defendant-Movant  
10 JASON ELLIS SMITH

11 DATED: May 1, 2017

PHILLIP A. TALBERT  
United States Attorney

12 /s/ Ross K. Naughton  
13 ROSS K. NAUGHTON  
14 Assistant U.S. Attorney

15 Attorney for Plaintiff-Respondent

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**ORDER**

The parties' stipulation is accepted. The government shall file a response to Movant Smith's June 17, 2016, Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 pursuant to *Johnson v. United States*, Docket entry no. 114, no later than 60 days from the effective date of this order. Movant shall file a traverse or reply, if any, no later than 30 days after service of the government's response.

Dated: May 1, 2017



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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE